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Mr. Thomas Grim, L-293
U.S. Department of Energy,
National Nuclear Security Administration
Livermore Site Office, SWEIS Document Manager
7000 East Avenue
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Fax: (925) 422-1776
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RE: Comments on the Department of Energy's Site-Wide Environmental Impact
Statement (SWEIS) for Continued Operations at Lawrence Livermore National
Laboratory (LLNL).

Dear Mr. Grim:

These comments supplement the oral testimony from Nuclear Information and Resource Service presented at the Washington, DC hearing.

1/31.04 Through this letter we are expressing our deep concern with the health and environmental risks posed by the expanded nuclear weapons mission for the Lawrence Livermore National Laboratory (LLNL) into the indefinite future. We appreciate your focused attention to this matter. Below, we have outlined a number of specific concerns that, taken cumulatively, lead us to the conclusion that the Site Wide Environmental Impact Statement (SWEIS)

for the continuing operation of LLNL is so deficient in information and analysis that it must be fixed and re-circulated in draft form. This would allow the community, the regulators, and the legislators to have the opportunity to evaluate the new information that is requested in these comments. Our specific concerns are:

1. The same day of the public hearings for the SWEIS, April 27,

2/08.02 2004, the Congressional Subcommittee on National Security, Emerging Threats, and International Relations for the Committee on Government Reform held a hearing on the security of nuclear materials. The hearing highlighted potentially insurmountable problems with plutonium and

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highly enriched uranium at certain Department of Energy (DOE) sites, with a focus on the vulnerability of nuclear materials storage at LLNL. On May 7, 2004, Energy Secretary Spencer Abraham delivered a speech on the deficiencies in the security of nuclear materials at LLNL and other DOE sites. The Energy Secretary made a commitment to consider removing the special nuclear materials at LLNL by 2005. This recent acknowledgement by the DOE that security at LLNL is questionable makes it imperative that the SWEIS evaluate an alternative that would remove all special nuclear materials from LLNL. These acknowledgements make this not only a reasonable option, but one that should be evaluated because it is a foreseeable outcome within the next decade at LLNL.

2/08.02 cont. 2. Instead of reducing the amount of special nuclear materials on-site at LLNL, this plan proposes to more than double the limit for plutonium at Livermore Lab from 1,540 pounds to 3,300 pounds. Additionally, under the Proposed Action, the administrative limit for highly enriched uranium in Building 239 would increase from 55 pounds to 110 pounds. Seven million people live in surrounding areas, and residences are built right up to the fence. Plutonium is difficult to store safely because, in certain

forms, it can spontaneously ignite and burn. Moreover, it poses a criticality risk when significant quantities are stored in close proximity. The amount of plutonium proposed for LLNL is sufficient to make more than 300 nuclear bombs. Because of the health risks, the proliferation dangers, storage hazards, and very serious security concerns, we believe it is irresponsible to store plutonium, highly enriched uranium and tritium at

LLNL. We are calling upon the DOE to de-inventory the plutonium, highly enriched uranium and tritium stocks at LLNL rather than to increase them.

3/34.01 4/33.01, 25.01 3. The SWEIS proposes to increase the at-risk limits for tritium

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ten fold, from just over 3 grams to 30 grams. The SWEIS proposes to increase the at-risk limit for plutonium from 44 pounds to 132 pounds. We
3/34.01, believe it is unsafe to increase the amount of tritium and plutonium that
4/33.01, can be "in process" in one room at one time. LLNL has a history of
25.01 criticality violations with plutonium and releases of both tritium and
cont. plutonium, making it evident that these amounts should be decreased, rather than increased.

4. This plan will revive a project that was canceled more than 10 years ago because it was dangerous and unnecessary. The project was called Plutonium - Atomic Vapor Laser Isotope Separation (AVLIS). Now it is called the "Integrated Technology Project"(ITP) and the "Advanced Materials Program"(AMP). This is a scheme to heat and vaporize plutonium and then
5/27.01 shoot multiple laser beams through the vapor to separate out plutonium isotopes. The ITP / AMP is a health risk and a nuclear proliferation nightmare. We believe the ITP and AMP work should be cancelled as the Plutonium AVLIS was cancelled in 1990 - this time permanently.

5. This plan makes Livermore Lab the place to test new manufacturing technologies for producing plutonium pits for nuclear weapons. A pit is the softball-sized piece of plutonium that sits inside a modern nuclear weapon and triggers its thermonuclear explosion. DOE says

these new technologies will then be used in a new bomb factory, called the Modern Pit Facility (MPF). Public and Congressional opposition to the MPF has caused its delay this year. The Livermore Lab plutonium pit program
6/37.01 goes full-speed ahead in the wrong direction. It will enable the MPF and

production of 150 - 450 plutonium bomb cores annually, with the ability to run double shifts and produce 900 cores per year. This production capability would approximate the combined nuclear arsenals of France and

China - each year. We call upon the DOE to halt all work on plutonium pit production technologies at Livermore Lab. We believe it is premature

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6/37.01 for the DOE to spend taxpayer dollars on this technology and the prudent and
cont.
reasonable outcome is to delay or cancel this project.

6. This plan will add plutonium, highly-enriched uranium and large quantities of lithium hydride to experiments in the National Ignition Facility mega-laser when it is completed at Livermore Lab. Using these materials in the NIF will increase its usefulness for nuclear weapons development, including for the design of new types of nuclear weapons. It will also make the NIF more hazardous to workers and the environment. This
7/26.01 is not only dangerous to people's health and safety, and a proliferation
8/26.03 risk, but it is sure to result in an inordinate cost to the taxpayer. No

cost estimate associated with this proposal has been released to date. We ask the DOE to cancel these dangerous, polluting, proliferation-provocative and unnecessary new experiments proposed for the NIF.

7. The SWEIS reveals plans to manufacture tritium targets at LLNL. The tritium-filled targets are the radioactive fuel pellets that the NIF's 192 laser beams will "shoot" in an attempt to create a thermonuclear explosion. Producing the targets will increase the amount of tritium
9/26.04 that is used in any one room at Livermore Lab from the current limit of just over 3 grams to 30 grams - nearly 10-fold more. In the mid-1990's, LLNL stated that target fabrication was to occur off-site because of LLNL's proximity to large populations. Livermore Lab has a history of tritium accidents, spills and releases. The NIF will increase the amount of airborne radioactivity emanating from LLNL. We call on DOE to cancel plans to manufacture tritium targets for NIF at Livermore Lab. Further, we urge cancellation of the NIF megalaser. Cancellation of NIF is a reasonable alternative that should be fully analyzed in the SWEIS.

8. This plan also calls for Livermore Lab to develop diagnostics
10/39.01 to "enhance" the nation's readiness to conduct full-scale underground

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10/39.01 cont. nuclear tests. This is a dangerous step back to the days of unrestrained nuclear testing. All work at LLNL to reduce the time it takes to conduct a full-scale underground nuclear test should be terminated immediately.

9. This plan mixes bugs and bombs at Livermore. It calls for collocating an advanced bio-warfare agent facility (BSL-3) with nuclear weapons activities in a classified area at Livermore Lab. The plan proposes genetic modification and aerosolization (spraying) with live anthrax, plague and other deadly pathogens. This could weaken the international biological weapons treaty -- and it poses a risk to workers, the public and the environment here in the Bay Area. The draft SWEIS does not 11/35.01 adequately describe these programs, or the unique security, health and environmental hazards they present. Construction should be halted on the portable BSL-3 facility. All plans to conduct advanced bio-warfare agent (BSL-3) research on site at LLNL should be terminated.

10. There are 108 buildings identified at LLNL as having potential seismic deficiencies relative to current codes. The SWEIS should include a complete list of these buildings and an accounting of the ones that house 12/14.01 or may house hazardous, radiological and biological research materials. LLNL is located within 1 kilometer of two significant earthquake faults, including the Las Positas Fault Zone less than 200 feet from the LLNL boundary. How can we mitigate harm done from an earthquake that damages these buildings before they are brought up to code? We urge the Livermore Lab to stop any work with hazardous, radioactive or biological substances that may be occurring in any building that does not comply with federal standards.

11. A contractor will be paid to package and ship more than 13/22.01 1,000 drums of transuranic and mixed transuranic waste to the WIPP dump in New

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13/22.01 cont. Mexico, yet the SWEIS says this is exempt from environmental review. This work in its entirety must be included in the review.

12. The DOE does not acknowledge in the SWEIS that the double-walled shipping containers described in the document may be replaced 14/20.05 by less health - protective single-lined containers. We believe that no waste should be shipped in single-walled containers and the SWEIS should provide a guarantee to that effect.

13. The Purpose and Need statement in the SWEIS relies heavily upon the US Nuclear Posture Review, which calls for an aggressive modernization and manufacturing base within the US nuclear weapons complex. This stands in stark contrast to the binding legal mandate to shift "from developing 15/01.01 and producing new weapons designs to dismantling obsolete weapons and maintaining a smaller weapons arsenal". We believe a revised Purpose and Need statement should accurately reflect the Livermore Lab's legal responsibility with regard to US law, including US obligations under the nuclear Non-Proliferation Treaty (NPT).

16/07.01 Further, the Purpose and Need statement in the SWEIS almost completely omits LLNL's important role in civilian science research. This omission fatally flaws the alternatives analysis in the SWEIS by neglecting to consider the expanded role that civilian science programs at the LLNL could play in the next decade.

The alternatives analysis should be revised to consider LLNL's role in light of the commitments in the NPT and the Livermore Lab's civilian science mission as well as the compelling case for removing special nuclear materials (i.e., plutonium and highly enriched uranium) from the LLNL site.

Sincerely,

Diane D'Arrigo
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Nuclear Watch New Mexico

Comments to the
National Nuclear Security Administration
On the
Draft Site-wide Environmental Impact Statement
For Continued Operations of
Lawrence Livermore National Laboratory and
Supplemental Stockpile Stewardship and Management PEIS

May 27, 2004

Mr. Thomas Grim, L-293
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Via fax: (925) 422-1776 and email (tom.grim@oak.doe.gov)

Dear Mr. Grim:

Nuclear Watch of New Mexico (NWNM) is pleased to submit the following comments to the Department of Energy's (DOE's) National Nuclear Security Administration (NNSA) on the Draft Site-wide Environmental Impact Statement for Continued Operations of Lawrence Livermore National Laboratory and Supplemental Stockpile Stewardship and Management PEIS (the "LLNL SW/SPEIS").

We find the LLNL SW/SPEIS to be a highly flawed, even obsolete, document that builds on mistaken premises that leads to misguided and foregone conclusions. The underlying incorrect premise is embodied in the following:

1/02.01

> The nuclear weapons stewardship goal is to ensure that our nuclear weapons continue to serve their essential deterrence role by maintaining and enhancing the safety, security, and reliability of the U.S. nuclear weapons stockpile. Achieving these goals requires the continued operation of LLNL. Draft LLNL SW/SPEIS, p. S-2.

Both assertions contained in that statement are wrong. The fact is that Lawrence Livermore National Laboratory (LLNL) could be severely damaged by a major seismic event at any point in time and the United States would still be left with an overwhelming and very robust nuclear deterrent. Moreover, it is becoming increasingly arguable that "the nuclear weapons stewardship goal" is not aimed toward ensuring the safety, security, and reliability of the U.S. nuclear weapons stockpile. Instead, the NNSA's so-called Stockpile Stewardship Program appears intent

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upon introducing major modifications and even possible new designs to the U.S.'s nuclear weapons stockpile. This flies in the face of the obvious logic of avoiding the introduction of uncertainties into an already extensively proof-tested stockpile. Further directly undermining the Program's purported rationale is the fact that the NNSA has been chronically behind in its Stockpile Evaluation Program, the routine nuts-and-bolts operations for maintaining stockpile safety and reliability. Instead, the NNSA has heavily invested taxpayers' money into very expensive speculative experimental facilities with possible future new-design applications.

For these reasons and more, we conclude that things are not as the NNSA portrays them to be. It seems obvious to us that the real directive for the Stockpile Stewardship Program is coming from the 2002 Nuclear Posture Review (NPR), which broadened the justification for the future use of nuclear weapons and their expanded potential targeting. To cut to the quick, we believe that the NPR is the policy driver for the dramatic expansion of nuclear weapons activities contemplated in the LLNL SW/SPEIS.

1/02.01 cont.

The LLNL SW/SPEIS does not entirely omit discussion of the NPR. The document does state

> Of particular interest to DOE and NNSA is the third element of the new triad, which reflects a broad recognition of the importance of a robust and responsive nuclear weapons infrastructure in sustaining deterrence. In this respect, the nuclear posture review notes that the flexibility to sustain the U.S. nuclear weapons stockpile depends on a robust program for stockpile stewardship and peer-review-based stockpile certification. LLNL SW/SPEIS, p. S-2.

What the LLNL SW/SPEIS omits is discussion of the NPR's directives to pursue the potentially destabilizing Robust Nuclear Earth Penetrator, Advanced Concepts (generally understood to be "mini-nukes"), the capability for possible wholesale replacement of existing designs with new designs, and shortening the lead time in which to return to full-scale testing. These developments will likely have profoundly long-term adverse nonproliferation consequences, particularly with respect to the U.S.'s assumed global WMD policing role.

More narrowly, LLNL's main site is a poor location for expanded nuclear weapons activities. It is already hemmed in by suburbs, has hazardous activities densely packed within 1.3 square miles, is highly vulnerable to external attack, has suffered repeated security infractions, and is certain to experience major seismic events over time. Additionally, LLNL's Site 300 is subject to ever increasing encroachment by urbanization. Moreover, nuclear weapons activities at LLNL are largely redundant to those at the Los Alamos National Laboratory (LANL). LANL is already well into the process of a $2.5 billion modernization of its plutonium chemistry and pit fabrication facilities and has extensive facilities for tritium research and target loading. Both Los Alamos and the Pantex site in Texas have facilities for manufacturing weapons high explosives. LLNL's Site 300 flash radiography facilities are duplicative to those available at Los Alamos and the Nevada Test Site. In short, LLNL is a mostly unneeded and redundant Cold War anachronism, unfortunately situated in a vulnerable and risky location.

2/08.01

This is a situation that could and should have been avoided, and for which there is ample precedent. In 1995, the DOE's own Advisory Board Task Force on Alternative Futures (the "Galvin Commission") recommended a "restructuring of weapon design capabilities" among the three nuclear weapons laboratories. The Galvin Commission noted that the restructuring would affect "primarily weapons design capabilities, where the largest functional redundancy exists,

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2/08.01 cont.

and specifically Lawrence Livermore National Laboratory." The limited range of options inherent to the official alternatives in the LLNL SW/SPEIS is an arbitrary and artificially constrained analysis, rather than the "hard look" required by the National Environmental Policy Act at the range of reasonable alternatives. There is no consideration of a Galvin Commission-like alternative for phasing out redundant weapons R&D and stockpile support functions of questionable safety at the Livermore site. For example, it is noteworthy that the level of lab employment for the LLNL SW/SPEIS "Reduced Operations" Alternative (10,000 employees) is higher than it was in 1989, during the last years of the Cold War.

3/02.01, 31.01

The alternatives offered in the LLNL SW/SPEIS don't begin to reflect a reasonable range of alternatives for LLNL's future missions. Three of DOE's stated most important missions, Nonproliferation, Homeland Security, and Energy Research, are given short shrift in the "Statement of Purpose and Need" that supposedly underlies the agency's Proposed Action. Even though these missions are arguably more important to US national security today than rebuilding or further developing nuclear weapons, the LLNL SW/SPEIS fails to present alternatives that focus on these missions, accompanied by a significant contraction of the core nuclear weapons programs.

4/01.01

Another obvious defect of the document is that it contains no consideration of the reasonably foreseeable impacts on nuclear weapons proliferation, both vertical and horizontal. These impacts can stem from restarting laser isotope separation facilities for weapons purposes, developing detailed physics models and computer algorithms for simulating each stage of the nuclear explosion sequence, and/or using fissile materials in the National Ignition Facility. With respect to the later issue, this is a step that DOE expressly told Congress it was not interested in while requesting construction funding in 1997.

5/01.03

There is also the matter of the number of nuclear weapons that LLNL has designed for the "enduring" stockpile and would therefore pay a custodial role in maintaining. Those designs are the W62 and W87 intercontinental ballistic missile warheads, the W84 cruise missile warhead, and the B83 bomb. These warhead types currently account for only 20% of the total US "war reserve" stockpile, and by 2009 this fraction is likely to diminish to around 15%. The approximately 400 W84 warheads have no delivery system – all Ground Launched Cruise Missiles were eliminated under the terms of the 1987 INF Treaty – and are not maintained as part of the "active" nuclear weapons stockpile. Implementation of the "operationally deployed" strategic force reductions agreed to in the 2002 Moscow Treaty on Strategic Offensive Reductions (SORT) would result in the retirement of all 600 remaining W62 warheads from the stockpile by 2009.

Within the LLNL SW/SPEIS's 10 year planning horizon, the Lab will have only two warhead types, the W87 and the B83, remaining in the stockpile. The W87 is undergoing a major multi-year "Life Extension" program that will finish this FY 2004. The refurbishment of some 650 B83 strategic bomb is not planned within the next five years. But the NNSA is pushing advanced development of a Robust Nuclear Earth Penetrator (RNEP) modification of the B83 megaton-range bomb that is highly controversial, an issue that a near majority in Congress is clearly uncomfortable with. One wonders whether the growing momentum for the RNEP is partly to give LLNL's redundant weaponeers something compelling to do.

2/08.01 cont.

Our overall point is that over the next five years LLNL will have only a small bona-fide workload related to the support of its 1,200 actively deployed weapons in the U.S. nuclear

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2/08.01 cont.

stockpile. This creates a clear window of opportunity to restructure and consolidate nuclear weapon stockpile support functions at Los Alamos and Sandia Albuquerque National Laboratories. Clearly, it makes no sense to maintain a separate $1 billion per year NNSA weapons program at LLNL to support a mere 15% of US stockpile warheads, when those responsibilities could be transferred to the New Mexico Labs. This should be considered as a "Reasonable Alternative" for detailed analysis in the LLNL SW/SPEIS.

Overriding all of this are the new security initiatives that DOE Secretary Spencer Abraham announced on May 7, 2004. His announcement was preceded by an April 27, 2004 hearing on the security of nuclear materials held by the Congressional Subcommittee on National Security, Emerging Threats, and International Relations for the Committee on Government Reform. That hearing highlighted potentially insurmountable problems with plutonium and highly enriched uranium storage at various DOE sites, with a particular focus on the vulnerability of special nuclear materials at LLNL. This led Abraham to commit to considering removing the special nuclear materials at LLNL by 2005. This is, in effect, an acknowledgement by DOE that security at LLNL is questionable and the storage of special nuclear materials vulnerable. This, in turn, makes clear that the LLNL SW/SPEIS must evaluate alternatives that would remove all such materials from the Lab. Given the Secretary's pronouncements, this is not only a reasonable alternative, but can also be deemed as a readily foreseeable outcome within the LLNL SW/SPEIS planning horizon.

6/30.02, 08.02, 31.04, 33.01

In our opinion, Abraham's announcement has effectively rendered the LLNL SW/SPEIS obsolete - this draft document has simply been overtaken by events. This is not just a matter of the storage of the special nuclear materials themselves. It also includes the nuclear weapons programs that work directly with these materials. The May 7, 2004, DOE press release explicitly said "t]he consolidation effort would… assess whether *defense-related work* at Lawrence Livermore National Laboratory in California could be relocated, allowing removal of special nuclear material from that facility." (Emphasis added.) Thus, we believe the LLNL SW/SPEIS's proposed action to expand nuclear weapons activities at LLNL has been turned on its head by the DOE Secretary himself. We respectfully suggest that the LLNL SW/SPEIS must consider NEPA alternatives that dramatically lower nuclear weapons activities at the Lab through the wholesale (or degrees thereof) relocation of those programs and their related special nuclear materials. To do otherwise is to ignore reality and invite legal vulnerabilities. Specifically, the draft LLNL SW/SPEIS's should be reissued.

Conversely, the present LLNL SW/SPEIS' Proposed Action doubles the limit for plutonium at the Lab from 1,540 pounds to 3,300 pounds. The administrative limit for highly enriched uranium in Building 239 would increase from 55 pounds to 110 pounds. Seven million people live in the surrounding environs, and residences are built right up to the fence. Plutonium in certain forms can spontaneously ignite and poses a criticality risk when significant quantities are stored in close proximity. The amount of plutonium proposed for LLNL is sufficient to make more than 300 nuclear bombs. Because of the health risks, the proliferation dangers, storage hazards, and very serious security concerns, we believe it is irresponsible to store plutonium, highly enriched uranium and tritium at LLNL. The LLNL SW/SPEIS needs to seriously consider the de-inventorying of the plutonium, highly enriched uranium and tritium stocks at the Lab, in alignment with Secretary Abraham's newly announced security initiatives.

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7/37.01 LLNL is to help lay the groundwork for a new plutonium bomb plant that will cost taxpayers billions of dollars to construct, hundreds of millions to operate each year, and billions more to clean up. The "Modern Pit Facility" would, according to DOE plans, produce 125-450 pits per year to maintain a Cold War-sized nuclear arsenal. Yet, the United States is awash in plutonium pits, with over 10,000 intact warheads and another estimated 12,000-15,000 pits in storage at the Pantex plant in Texas. Despite assertions to the contrary, the U.S.'s nuclear weapons stockpile is not subject to near-term degradation caused by the effects of plutonium aging, as the NNSA and some congressional members have claimed. Studies by the DOE's own lab scientists have shown plutonium pits are lasting longer than previously believed. Clearly, the Modern Pit Facility proposal is grossly premature before conclusions are reached on pit aging from current "accelerating aging " experiments, due at the end of 2006. It then follows that the LLNL SW/SPEIS is also premature in considering the Lab's role in developing pit production technologies for the MPF.

8/27.01 The LLNL SW/SPEIS revives a project that was canceled more than 10 years ago because it was dangerous and unnecessary. Plutonium - Atomic Vapor Laser Isotope Separation (AVLIS), now called the "Integrated Technology Project"(ITP) and the "Advanced Materials Program"(AMP), is a scheme to heat and vaporize plutonium and then shoot multiple laser beams through the vapor to separate out plutonium isotopes. The ITP/AMP is a health risk and a nuclear proliferation nightmare. They should be cancelled as the Plutonium AVLIS was cancelled in 1990, this time to never again be resurrected.

9/26.01, 26.03 The LLNL SW/SPEIS proposes to add plutonium, highly enriched uranium and large quantities of lithium hydride to experiments in the National Ignition Facility (NIF) mega-laser when it is completed. Using these materials in the NIF will increase its usefulness for nuclear weapons development, including for possible new-designs. It will also make the NIF more hazardous to workers and the environment. This is not only dangerous to people's health and safety, and a proliferation risk, but it is sure to result in an inordinate cost to the taxpayer. No cost estimate associated with this proposal has been released to date. We ask the DOE to cancel these dangerous, polluting, proliferation-provocative and unnecessary new experiments proposed for the NIF.

10/39.01 The LLNL SW/SPEIS calls for Livermore Lab to develop diagnostics to "enhance" the nation's readiness to conduct full-scale underground nuclear tests. This is a dangerous step back to the days of unrestrained nuclear testing. All work at LLNL to reduce the time it takes to conduct a full-scale underground nuclear test should be terminated. Any new nuclear testing would likely be for a new weapon design, which we believe is not compatible with our long-term national security interests (we are specifically pointing to the future Robust Nuclear Earth Penetrator).

11/35.01 The LLNL SW/SPEIS mixes bugs and bombs at Livermore through its so-called No Action Alternative. An advanced bio-warfare agent facility (a "BSL-3") will be co-located with nuclear weapons activities in a classified area at the Lab. This BSL-3 facility will perform genetic modification and aerosolization experiments with live anthrax, plague and other deadly pathogens. This could weaken the international biological weapons treaty -- and it poses a risk to workers, the public and the environment in the Bay Area. The LLNL SW/SPEIS does not adequately describe these programs, or the unique security, health and environmental hazards they present. Construction should be halted on the portable BSL-3 facility. All plans to conduct advanced bio-warfare agent (BSL-3) research on site at LLNL should be terminated. National

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11/35.01 cont. biodefenses should be enhanced under the auspices of the Department of Human Health and Services and the Centers for Disease Control.

12/22.01, 20.05 A contractor will be paid to package and ship more than 1,000 drums of transuranic and mixed transuranic waste to the Waste Isolation Pilot Plant in New Mexico, yet the LLNL SW/SPEIS says this is exempt from environmental review. This work should be included in the review. The DOE does not acknowledge in the SWEIS that the double-walled shipping containers described in the document may be replaced by less protective single-lined containers. We believe that no waste should be shipped in single-walled containers and the LLNL SW/SPEIS should provide a guarantee to that effect.

- End of Comments -

Respectfully submitted,
Jay Coghlan
Director